

SEALED UNITED STATES DISTRICT COURT

for the
District of Nebraska

United States of America)

v.)

John Doe)
using the name E.V.)

Case No.)

8:12MJ219)

Defendant(s)

FILED
US DISTRICT COURT
DISTRICT OF NEBRASKA

JUL 27 2012

OFFICE OF THE CLERK

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of May 27, 2010 in the county of Lancaster in the
District of Nebraska, the defendant(s) violated:

Code Section

Offense Description

Title 42, U.S.C. § 408(a)(7)(B),
False Representation of a Social
Security Number

On or about May 27, 2010, in the District of Nebraska, the defendant, John Doe, using the name E.V., defendant herein, with intent to deceive, falsely represented a number to be the Social Security account number assigned by the Commissioner of Social Security to him, when in fact such number, ending in XXX-XX-0744, is not the Social Security account number assigned by the commissioner of Social Security to him, for purposes of obtaining any benefit to which he is not entitled and for any other purpose, to wit: to satisfy a requirement of section 274A(b) of the Immigration and Nationality Act.

This criminal complaint is based on these facts:

See Attached Affidavit

☒ Continued on the attached sheet.

Complainant's signature

Terrance L. Taylor, Jr., Special Agent

Printed name and title

Sworn to before me and signed in my presence

Date: 07/27/2012



Judge's signature

City and state: Omaha, Nebraska

F.A. Gossett III, U.S. Magistrate Judge

Printed name and title

| | | |
|----------------------|---|----------------------------|
| DISTRICT OF NEBRASKA |) | |
| |) | AFFIDAVIT OF |
| |) | SA TERRANCE L. TAYLOR, JR. |
| COUNTY OF DOUGLAS |) | |

Your Affiant, Terrance Taylor, being duly sworn, does depose and state:

1. I, Terrance Taylor, am a Special Agent with the United States Department of Homeland Security, Immigration and Customs Enforcement, Homeland Security Investigations (hereinafter "HSI"). I have been employed with this agency since March 2012. HSI agents are authorized to investigate violations found in Title 8, 18, 19 (Customs), and Title 42 of the United States Code.
2. I am aware of the information set forth below through personal investigation, as well as discussions with other HSI investigators and Tecumseh Poultry personnel. Because this affidavit is being submitted solely for the purpose of establishing probable cause, it does not contain all the facts and circumstances pertaining to this investigation.
3. On February 21, 2012, HSI Omaha Forensic Auditor Terri Schweiger served Tecumseh Poultry with a Notice of Inspection (NOI) for all Employment Eligibility Verification forms, also known as Forms I-9, along with supporting documents, on all current employees. Immigration and Nationality Act section 274A(b) refers to the Employment Verification System, and requires an employer to verify that an individual seeking employment is not an unauthorized alien by examining certain identification documents provided by

the individual seeking employment. The documents used are recorded on the Form I-9.

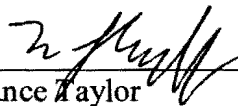
4. Forensic Auditor Schweiger received and reviewed 421 I-9 forms from Tecumseh Poultry. Several of the I-9 forms are associated with Social Security numbers and names in which an identity theft complaint has been filed with the Federal Trade Commission (FTC).
5. One such I-9 form was completed in the name of an individual with initials E.V., and signed and dated on May 27, 2010. On the I-9 form, John DOE, using the name E.V., attested that he was a citizen or national of the United States by checking the appropriate box on the form. John DOE, using the name E.V., presented to Tecumseh Poultry a Social Security card bearing a name with initials E.V. and the Social Security number xxx-xx-0744, and a State of Missouri Nondriver License bearing the name with initials E.V. and associated number XXXXX0744.
6. On February 25, 2008, an identity theft complaint was filed with the FTC by an individual with initials E.V., xxx-xx-0744, of Ft. Oglethorpe, Georgia. In the complaint, E.V. reports that he is a victim of identity theft per his credit report indicating that an individual using his biographical information obtained employment at Randstad in Atlanta, Georgia, Quality Pork Processors in Dallas, Texas, Farmland Foods Inc. in Kansas City, Kansas, and

Sparboe Foods Corp. in Minnesota. E.V. stated that he has not worked at those locations. E.V. further reported that he previously contacted law enforcement authorities in Chattanooga, Tennessee, regarding the identity theft.


7. It has been your affiant's prior investigative experience that undocumented alien employees at similar businesses procure false identification documents and falsely claim U.S. citizenship in order to obtain employment in the United States.
8. On July 26, 2012, your Affiant verified with the Social Security Administration that the Social Security number xxx-xx-0744 is registered to a real individual with initials E.V.
9. Based on these facts, your Affiant has reason to believe John DOE, using the name E.V., possessed and used fraudulent identification documents to complete an I-9 form to obtain employment in violation of Title 18, United States Code, Section 1546(a), fraud and misuse of visas, permits, and other documents. Further, your Affiant has reason to believe John DOE falsely represented a Social Security number to be his, in violation of Title 42, United States Code, Section 408(a)(7)(B), and that John DOE falsely represented himself to be a United States citizen in violation of Title 18, United States Code, Section 911.

I declare under the penalty of perjury that the foregoing facts and circumstances are true and correct to the best of my knowledge and belief.

Executed this 27th day of July, 2012.


Terrance Taylor
Special Agent
Homeland Security Investigations

Sworn to before me and subscribed in my presence this 27th day of July, 2012.


F.A. Gossert III
U.S. Magistrate Judge

